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United States Patent and Trademark Office
Art Unit 1639
1911 S. Clark Place
Crystal Mall One, 7th Floor
Arlington, VA 22202
703-308-3967

On: October 8, 2003

By: Meredith K. Meyer

Printed Name: Meredith K. Meyer

Attorney Docket No. 0155.130US
(formerly 18097-030310US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Juha Punnonen et al.

Application No.: 09/724,869

Filed: November 28, 2000

For: OPTIMIZATION OF
IMMUNOMODULATORY
PROPERTIES OF GENETIC
VACCINES

Examiner: Teresa D. Wessendorf

Art Unit: 1639

**SECOND SUPPLEMENTAL
INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §§ 1.97
AND 1.98**

Examiner Teresa D. Wessendorf
Examiner Andrew J. Wang
United States Patent and Trademark Office
Art Unit 1639
1911 S. Clark Place
Crystal Mall One, 7th Floor
Arlington, VA 22202

Dear Madam/Sir:

The references cited on attached form PTO/SB/08A-B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

Application No. 09/724,869

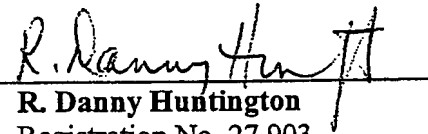
Page 2

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

A Fee Transmittal Form is submitted concurrently herewith, authorizing the Commissioner to deduct any required fee from, or credit any overpayment to, the undersigned's Deposit Account No. 50-0990.

Respectfully submitted,

October 8, 2003

By: 
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On: October 8 2003

By: Mercedes K. Meyer

Printed Name: Mercedes K. Meyer

Attorney Docket No. 0155.130US
(formerly 18097-030310US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Juha Punnonen et al.

Application No.: 09/724,869

Filed: November 28, 2000

For: OPTIMIZATION OF
IMMUNOMODULATORY
PROPERTIES OF GENETIC
VACCINES

Examiner: Teresa D. Wessendorf

Art Unit: 1639

**THIRD SUPPLEMENTAL
INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §§ 1.97
AND 1.98**

Examiner Teresa D. Wessendorf
Examiner Andrew J. Wang
United States Patent and Trademark Office
Art Unit 1639
1911 S. Clark Place
Crystal Mall One, 7th Floor
Arlington, VA 22202

Dear Madam/Sir:

The three references cited on attached form PTO/SB/08A-B are being called to the attention of the Examiner. Although these three references are not mentioned in the "Request by Applicants for Interference Pursuant to 37 C.F.R. § 1.607" submitted concurrently herewith, Applicants respectfully request that the cited information be expressly considered during the prosecution of this application and these references be made of record therein and appear among the "references cited" on any patent to issue therefrom. Copies of these three references are enclosed.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

Substitute for form 1449A-B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Complete if Known	
	Application Number	09/724,869
	Filing Date	November 28, 2000
	First Named Inventor	Juha Punnonen
	Group Art Unit	1639
	Examiner Name	Teresa Wessendorf
	Attorney Docket Number	0155.130US

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code (if known)			
	1	6,376,246		Cramer et al.	04-09-2002	

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Examiner Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Office	Number	Kind Code (if known)			
	2	WO	91/19818	A1	Affymax Technologies N.V.	12-26-1991	
	3	WO	92/01047	A1	Cambridge Antibody Technology Limited	01-23-1992	
	4	WO	92/18619	A1	The Scripps Research Institute	10-29-1992	
	5	WO	94/01567	A1	Unilever PLC	01-20-1994	
	6	WO	94/18330	A1	Unilever PLC	08-18-1994	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
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Examiner Signature		Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00

Complete if Known

Application Number	09/724,869
Filing Date	November 28, 2000
First Named Inventor	Juha Punnonen
Examiner Name	Teresa Wessendorf
Art Unit	1639
Attorney Docket No	0155.130US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account
 Deposit
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50-0990

Maxygen, Inc.

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FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 000

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	XX -20** = XX	000	000
Multiple Dependent	XX -3** = XX	000	000

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
202 18	2202 9	Claims in excess of 20	
201 86	2201 43	Independent claims in excess of 3	
203 250	2203 145	Multiple dependent claim, if not paid	
204 86	2204 43	Reissue independent claims over original patent	
205 18	2205 9	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 0000

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 190	2053 130	Non-English specification	
1812 2,520	2812 2,520	For filing a request for ex parte reexamination	
1804 920	2804 920	Requesting publication of SIR prior to Examiner action	
1805 1,840	2805 1,840	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 280	2403 145	Request for oral hearing	
1451 1,510	2451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavailable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	2460 130	Petitions to the Commissioner	
1807 50	2807 50	Processing fee under 37 CFR 1.17(g)	
1806 180	2806 180	Submission of Information Disclosure Stmt	180.00
8021 40	28021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	2802 900	Request for expedited examination of a design application	

Other fee (specify)

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SUBTOTAL (3) (\$ 180.00

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Signature

Date

10-07-03

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I hereby certify that this is being hand delivered in an envelope addressed to Examiner Teresa Wessendorf, United States Patent and Trademark Office, Art Unit 1639, 1911 S. Clark Place, Crystal Mall One, 7th Floor, Arlington VA 22202: October 8 2003 on this date:

Typed or Printed Name: Mercedes K. MeyerDate: 10/8/03Signature: Mercedes K. Meyer

Application No. 09/724,869

Page 2

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

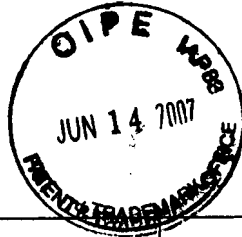
A Fee Transmittal Form is submitted concurrently herewith, authorizing the Commissioner to deduct any required fee from, or credit any overpayment to, the undersigned's Deposit Account No. 50-0990.

Respectfully submitted,

October 8, 2003

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(Modified) PTO/SB/08A-B (10-96)
Approved for use through 10/31/99. OMB 0651-0031

Substitute for form 1449A-B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Complete if Known	
	Application Number	09/724,869
	Filing Date	November 28, 2000
	First Named Inventor	Juha Punnonen
	Group Art Unit	1639
	Examiner Name	Teresa Wessendorf
	Attorney Docket Number	0155.130US

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code (if known)			
	1	6,368,861		Crameri et al.	04-23-2002	
	2	6,406,855		Patten et al.	06-18-2002	
	3	6,613,514		Patten et al.	09-02-2003	

FOREIGN PATENT DOCUMENTS								
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		Office	Number	Kind Code (if known)				

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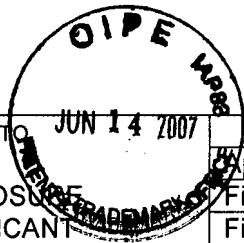
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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

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	1	6,376,246		Crameri et al.	04-09-2002	

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		Office	Number	Kind Code (if known)			
	2	WO	91/19818	A1	Affymax Technologies N.V.	12-26-1991	
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Exami ner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	7	Aggarwal & Gutterman eds., HUMAN CYTOKINES: HANDBOOK FOR BASIC AND CLINICAL RESEARCH, Vol. II (1996) (Table of Contents for Vols. 1 & II)
	8	Alcami <i>et al.</i> , "A soluble receptor for interleukin-1 beta encoded by vaccinia virus: a novel mechanism of virus modulation of the host response to infection," <i>Cell</i> 71(1):153-67 (1992)
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